IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1200 OF 2006.
IN
SECOND APPEAL NO.651 OF 2006.

Shankarrao Narsingrao Khanvilkar. ... Applicant.
Versus.
Jath Grampanchayat, Jath. ... Respondent.

Shri A.M.Kulkarni for the Applicant.

Shri Amit Sale for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 26th July, 2007.

P.C.:

1. Heard the learned Counsel appearing for the parties. It is not in dispute that during the pendency of the Appeal before the District Court, there was no prohibitory order passed in favour of the Applicant. The Respondent is a village panchayat. There is already a finding recorded against the village panchayat that there is no allotment of the property in its favour by the State Government. The Respondent being the village panchayat, I find that as of today there is no apprehension that any third party interests will be created and possession will be parted with. In view of this position, no case is made out for grant of injunction. The Application is rejected.

Judge.